

Quid Novi

McGill University, Faculty of Law
Volume 24, no. 1 - September 16, 2003

Welcome first year students!
Remember, McGill Law School is just like the

HULKSTER



#1 in its field

in 1984...

[Signature] 2003

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Editor's Note...

So here it is, the first Quid of the year, also known as The Bonding Special – because with the first Quid inevitably come upper-years' words of advice to first-years. And you know what, they're actually quite useful, be it only to catch a glimpse of what law students are like. I remember reading them in my first year and thinking: wow, what a noble and unselfish bunch.

Of course, now I know better.

The truth is they're not just noble and unselfish. They're warm, they're welcoming, and they'll do everything to make you feel at home.

Which leads me to this astonishing conclusion: law students are human beings too. Don't get me wrong, some of us are jerks, of course. We all are, in some respect, at least part-time losers.

But Patrick and I hope that all through these pages, you will come to realize not only that your fellow students are special, but that there's more to law school than law. We hope you won't be afraid to send us your contributions and make your voice heard. And mostly, in one, two, three or four years from now, we hope you'll look back and say: these were the best years of my life.

Welcome, or welcome back.

Fabien
& Patrick

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Obiter dicta (ob-t-er dik-ta). [Latin, Pl., "things said in passing"]

by Jason MacLean (Law I)

As all upper-year students already know, and as many first-years like myself have probably already figured out, the Latin phrase *obiter dicta* refers to judicial comments made in passing, or by the way, during the course of issuing a judicial opinion. *Obiter dicta*, in other words, consist of all those fascinating (to their authors, at least) tangential discussions that have absolutely nothing to do with the rule of the case, or, to continue to show-off in Latin, the *ratio decidendi*.

Now, my reasons for calling this column, which is concerned with the first-year experience, *obiter dicta*, are many, but let me state from the outset that the presumption that I am somehow already judge-material is not among them. With that out of the way, allow me to explain my choice. *Obiter dicta*, things said in passing, is what I would like this column to be - things about the life of a first-year law student that I at once experience and observe. The phrase appeals to me too for its categorical rejection of rules. During a year in which we are all going to be obsessed with the discovery of and adherence to rules, I thought it not an entirely bad idea to carve out a space in which there are no rules whatsoever. Instead of rules, I will be satisfied if these small things said in passing occasionally provoke and amuse, for it is not my intention to deliver the final say on any subject but rather to start interesting conversations about life in and outside of law school. Besides, I just think *obiter dicta* sounds impressive and sophisticated.

Enough preamble - while it is undoubtedly true that everyone enjoys a strictly introductory lecture (what do you mean you are actually going to begin the course! I don't even have a functional pen, let alone a shiny new laptop!), few if any readers really enjoy a purely introductory column. I would like to begin, then, with a clean, tight, coherent piece of prose, but of all the things absent during the first week of law school,

coherency seems the most conspicuous. So what follows is a more or less random assemblage of my passing thoughts about our first week.

First and foremost, because it makes *excellent sense* to suck up to upper-year students, I should like to take this opportunity to thank those busy students - all of whom are extraordinarily attractive and bright - who volunteered their time and energy to give us an orientation that was both informative and fun. They didn't have to do it, after all, so thank you! It is a shame, however, that all three of my orientation group leaders' appeals were rejected, but no doubt at least two of them will become huge movie stars while the third, I suspect, has a very bright future in sales. We wish you all the best.

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Speaking of the best, I must admit that I was struck by the middling character of much of the talk about grades. Work hard, but know that everyone gets B's, and know too that that's okay. What? A B is okay? A B+ is now a cause for celebration? When I heard this, and I heard it often, I felt as if I had landed in some sort of Bizarro world where everything is upside-down. Of course, those that insisted upon this new order are indubitably as brilliant as they are breathtaking to behold, and I, being neither, should just shut up. But I have a column to finish, and so I say this: Maybe they are right, but as Winston Churchill once said, you might as well be an optimist, because there is no point in being anything else. So when you walk about the law school, why not walk about as if you are already an A-student? Even if it is not true, it sure beats

walking around like a C-student (I tried that all day on Sunday, and it really sucked). And who knows, it may come true. As the great judge Benjamin Cardozo put it, "We are what we believe we are."

(In the misnomer department, did anyone else notice that there was no coffee served at the "coffee house"? Did anyone else care?)

Now, *obiter dicta* treats not only of random little observations, but also of deep insights and breaking news. For instance, I have figured out why our books (a) are so expensive and (b) take so long to buy. It has nothing to do with copyright and everything to do with the professors' plan to make the reading of the books seem by comparison to be nirvana itself.

And regarding breaking news, this just in: The identity of our new dean is no longer a mystery! Through painstaking investigative muck-raking, I have uncovered that the new dean of the McGill Faculty of Law is none other than Ron Daniels, the current dean of the law faculty of the University of Toronto. Daniels evidently decided that giving himself a raise on the backs of his incoming students was insufficient to underwrite his exorbitant lifestyle, so he has undertaken to be the dean of the two law faculties at the same time, with plans in the works to take over at Queens and Western by 2005. According to Daniels, whom I reached by phone at his Cayman Islands summer home, being dean of the McGill faculty will also facilitate the ongoing poaching of talented McGill professors. When I asked incoming dean Daniels if he would implement his four-year plan to make U of T a second-rate American state school at McGill, he responded with a resounding *mais oui*. Remember, you read it in *obiter dicta* first.

With that I'll close because, in the words of Oliver Wendell Holmes, I fear that I drool - farewell et à bientôt. ■

Why Law School Actually Is "For Everyone"

(Or: How I Spent My Summer Vacation)

by Michelle Dean (Law II)

Just to be clear from the beginning: this is not one of those (in my humble opinion, with apologies to Noah) rather hubristic articles that tend to appear in the Quid at the beginning of the year. You know the type. They're directed at first years, with instructions on how to "survive" law school as if it were a natural disaster of some kind. Don't get me wrong, I have both feet planted firmly in the "I hated first year" camp. But after a summer-long reflection, I've decided that what I hated most of all about it was the way that I reacted to law school and the person that it turned me into for eight months. I'm not saying that everyone will react this way, because they almost certainly won't. Just consider this, if you're still reading, a warning rather than an instruction.

I should come clean, first of all: I really never wanted to be a lawyer, and law school only became important to me sometime in October of my last year of undergrad when I realized I didn't really want to be a historian either. And out of fear of the unknown (read: not-school), I decided I still wanted to be in school, and perhaps out of egotism decided I would make an excellent law student because everyone had always told me I would make a great lawyer. So I convinced myself that law school was for me, and that I would love it, and that there were a million really cool things I could do with a law degree. This immense optimism apparently came through in my personal statement, and, lo and behold, I was accepted.

And then over the next ten months I felt like law school had sapped my will to live. Every day from about the first of October depressed me, and I felt horrible, like I didn't belong with any of my classmates, who all seemed so much clearer on why they were there. A few of you who know me well are

aware that by March I was quite seriously considering leaving law school altogether. I went completely nuts over April exams, having to resort to sleeping pills for the first time in my life in order to catch a couple of hours' rest without being awoken with the sudden fear that I had misidentified a CCQ article on my contracts exam.

But enough confessional. You probably only want to know why I think this all happened, and why I'm still here, not the circumstantial details. Some of this has to do with my own insecurities, after all, and cannot be attributed to the law school as a whole. I do think it's fair, however, to identify some elements of Faculty culture as an aggravating factor.

For one thing, most of my problems

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revolved around the fact that I felt like I didn't fit into the right boxes. I don't want to get into the business of mudslinging and finger-pointing because I'm trying, however imperfectly, to rise above it. But let's just say that it's almost like there's a sign at the entrance saying New York/Boston/Toronto OCIs this way, NGO/Government/United Nations applicants that way, with no middle road obviously available. I don't doubt that this is a somewhat unintended partition, but it tends to force people into rather extreme positions. Most of these positions by definition involve

making judgements about the other side of the fence. Sometimes these judgements are even aired publicly in the Quid. So the first impression one often gets at the Faculty goes something like, "Pick a side - and do it quick." People are criticized for impure combinations like taking a human rights internship and then choosing to work at a big Montréal firm. Everyone feels that the "others" aren't getting the most out of law school. This is not to say that some of those insights aren't true, but just that the themes are constantly out there.

The Faculty is equally polarized about grades. Some people will try to convince you that grades are entirely arbitrary. Others will tell you that good grades only come with a great deal of work. Still others will maintain that good grades only go to the extraordinarily intelligent (you can imagine which set this claim comes from), and a fourth school of thought will chastise you for caring about grades at all, since the object of going to law school is so-called "real learning" - whatever that means. The common thread here is that grades are something to be scared of in law school, and it's unlikely that anything you will ever do will be good enough. (Even the last set of opinions thinks that good grades are no indicator of the actual quality of your work, and may in fact indicate your weak conformity to the Faculty's "official" standards.) I'm not sure why we take the mass-terror approach to the first-year class, and then express wonderment at the fact that they spend their first year studying like madmen, trying to memorize the citations of Supreme Court decisions as if their lives and those of their first-born depended on it. (I should confess that I have also recently said to others that I hoped that first-years would "chill out" with the breezy insouciance of all participants in vicious circles.)

By now you probably have a good idea of where I'm going with this. Some professors will tell you that law is all about categories, and law school seems to be as well. Internalization is a difficult thing to avoid, and I became, unbelievably early the year, nastily convinced that I knew everything about any given student once I learned of one aspect of their personality. I didn't so much personalize my judgements but rather talked about "law students" as if there were some common thing which ties us together. My loose definition of "law students" was people who studied all the time, talked incessantly about New York, and were only interested in talking about law school and legal issues. ►

I Wish

by Noah Billick (Law II)

Learning law is hard, especially at McGill. Its difficulty stems partly from the material, and partly from the culture of McGill Law itself. And while McGill isn't as explicitly competitive as some other law schools (I've never experienced opening a library book only to find the relevant pages ripped out, for example), there is definitely an underlying bloodthirstiness at McGill Law. Well, we are law students, after all. Nevertheless, I have found that a few simple bits of advice can aid in making Law I as painless as possible. Here are a few things that I wish I knew in September 2002.

1. Law Justice

On Law and Order, justice is almost always meted out at the end of the 60-minute episode. When it isn't, it's because the writers are deliberately directing our attention toward some systematic injustice. It almost leads one

(law school for everyone cont'd)

It's not that I disliked them per se, but rather that I felt with every new person I'd meet that I'd heard the story before.

What was even worse was that I decided that I could apply all of these judgements to myself. If I was going to join the Human Rights Working Group it would mean that I would have to give up forever my long-held wish (from the age of eight when I read *From the Mixed-Up Files of Mrs. Basil E. Frankweiler*) of living in New York City. If I didn't go to Law Games it couldn't be because it simply wasn't my scene, but rather because the Games represented something that was intrinsically wrong with law school. But then again, I didn't fit the usual human rights mode because I had no extensive history of activism. I certainly didn't feel more intelligent than the pack, and every time I wrote an exam I became convinced that I wasn't answering "like a law student should." And all of this led me to conclude that I was no kind of law student, and that I should get out while I still had the chance.

Of course, I was entirely wrong about all of these things, and I'm glad I had the chance to realize it over the summer with a little distance from the whole crazy scene. I can even genuinely say that my one-and-a-half weeks

to believe that there is some inherent relationship between law and justice. In many cases, that relationship exists. In just as many, the folly and bias of the courts is plain, and fledgling law students may wonder whether there is any consistent fairness in law at all. As a result, many first-year law students become frustrated and disenchanted with law. Try not to. Recognize that law is a tool, and like the Force, can be used for good or evil. You are

There is definitely an underlying bloodthirstiness at McGill Law.

here to study how the law works - how you choose to use the law is up to you.

2. There are (at least) two sides to every story.

All right, there's no inherent justice in law. of second year have been genuinely pleasant.

Because, strangely enough, once the pressure of school and socializing was over in May, it suddenly occurred to me that I had learned a great deal over my annus horribilis. And I had even met some great people along the way whom I genuinely liked. It was expecting law school, law students, and me to be something in particular which had made me so uncomfortable. I had succumbed to the hype in the worst possible way, and for someone who generally likes to think of herself as an independent thinker that's a pretty horrible crime. But the fact is that there's room for lots of different types here and there's no particular reason to think you don't "belong" or aren't "worthy" unless it's informed by some larger assumption about what being in law school entails. And more often than not that assumption isn't made from experience but from expectation.

I don't know if anyone this year feels this way. But if you do, at the risk of imperially appropriating Eastern philosophy for a Western message, let me offer the advice that the Zen Buddhist in me (battered though she is) tries to remember once a day: don't listen to anyone, don't try to be anything, just be. That's the only real way to get through law school. ■

Take solace in the fact that there are also very few absolutes, and when one exists, you can be certain that there are camps rallying against it. Law is funny that way - there's almost nothing at all one can bank on, especially in Canada, with that damn notwithstanding clause. You will have a much easier time studying law if you train yourself to see the arguments on both sides, all the time. After a while, you may find yourself questioning what you assumed was inviolable truth. This is healthy and good. Take a stand, certainly, but don't cling to dogma, whatever it may be (even if your dogma is the dominant orthodoxy). After a while, you may come to cherish law's flux. It allows new ideas to enter into the discourse.

3. You don't actually need to do all that damn reading...

...but it's not a bad idea. Just be prepared to not digest it all the first time you read it. As a novice law student, it would actually be impossible for you to grasp the minutiae of every decision that is assigned, and your profs know it, but assign the material anyways. By January, many (most?) of your classmates will drop the reading altogether in certain courses, preferring to learn the material through previous years' summaries. Some people manage to do quite well this way. Still, try to read as much as you can bear. It's good for you, like eating your vegetables.

4. You're just another gifted genius; don't act like an ass.

Wherever you came from, you were big and bad, in the best possible way. You got the grades. You got the professor's attention. You had the wittiest things to say in class. The best thing you can do now is to forget about your former life. This may be especially difficult, because for many of us, the recognition we received for our intelligence and efforts formed an integral facet of our personality and self-confidence. Still, train yourself to derive your self-worth elsewhere. Try this exercise: Sit in class and look around. Everyone you see is as capable as you are. If you try to stand out by all the time firing your mouth off you will inevitably incur the wrath of your classmates. Keep in mind that a full year to be stuck in a classroom together is long enough that even your classmates who speak with restraint will eventually begin to grate on your nerves. Keep your comments short and pithy, and ask yourself whether you have a reasonable question to ask, or something valid to add, or if you just want to ►

hear yourself speak.

5. If you write an article in the Quid, or do anything in the public eye, prepare to be attacked.

If you don't get attacked, you haven't got their attention. Prepare to be scrutinized. Take it with a few grains of salt. Also applies to speaking in class.

6. Chill out

The sad reality is that the great majority of

the class will end the year with around a 3.0 GPA. The nice thing about this is that once you accept it, you can stop worrying about the paper chase, and start learning for its own sake. Don't worry - career placement two years out of graduation hovers above 95%, and the 5% or so are traveling or pursuing yet more education. And yet, law students and lawyers are more unhappy and unhealthy than the general population. A 1999 study from the Vanderbilt Law Review found lawyers and law students to have higher rates of depres-

sion, anxiety, paranoia, drug and alcohol abuse, divorce, and suicide than the general population. It doesn't need to be this way. My advice: find some hobbies, and don't let them slip just because of the amount of reading you have to do. Find some allies in your classmates - everyone in first year feels the same fears, whether they admit it or not. Exercise. Find some aspect of law that you enjoy. And remember, in twelve months you'll be an old pro. ■

Such a Privilege to Be Here

by Jared Will (Law II)

If their experience has been at all similar to mine, chances are that, by now, the members of the first year class are accustomed to hearing how lucky they are. They have heard about stringency of the selection process, and how bright they must be as they have been accepted as members of an institution long committed to excellence in legal education. We can debate the veracity and merits of the accolades that are so often heaped on this school, its faculty and its students; but before the swirling morass that is law school descends upon us, we should perhaps take a moment to recall that in so far as we are truly lucky to be here, that good fortune carries with it a certain measure of responsibility.

After spending a year immersed in various facets of life at this faculty, there is one impression, one reflection, that persistently finds its way to the top of that pile in the back of my head when I'm asked 'what it's like' at McGill Law. To me, what characterizes the Faculty more than anything else is something that's absent-something that I've yet to hear of any sub-committees being struck to address the dearth of. What's missing is something

fairly simple-it is the recognition of the enormous privilege enjoyed by those who participate in this institution. It is a multifaceted privilege that we collectively enjoy, though some of these privileges are not shared by all of us. The chance to earn a diploma from this institution opens doors that are closed to most members of society. We are all privileged enough to have found, borrowed or been handed the means of subsistence that allow us to devote a substantial portion of our energies

*In a soldier's stance, I aimed my hand at the mongrel dogs who teach
Fearing not I'd become my enemy in the instant that I preached.*

one with a sufficient sensitivity to the existence of the privilege will also detect the slightness of the recognition thereof among their peers. Perhaps the explanation for this failure lies no further than the phenomenology of my own experience in the Faculty. Recognition of the enormous amount of unappreciated privilege contained within these walls may bring on a certain feeling of asphyxiation-the superficially collegial atmosphere quickly becomes stifling.

To open one's eyes to the privileges enjoyed by ourselves and our peers isn't particularly difficult. I presume that anyone with a pulse and sufficiently acute ears to detect the steady hum of flashy new laptops and palm pilots can get this far. To ask what responsibilities these privileges entail, to wonder seriously about the justice of such a dense concentration of wealth and power, to ponder the enormous gap between the status quo at Penfield and Peel and that at Delisle and Atwater is, it seems (based on the apparent per capita success rate), extraordinarily difficult.

It is not difficult. It does, however, involve recognizing that our collective privilege is not only unique, but unjust. ■

B. Dylan

to studies rather than to work. Finally, and perhaps I am alone in this, but I have yet to experience an environment whose members control such a high concentration of wealth.

No matter how often we are told 'how lucky' we are, there seems to be no change in the transparency of our privilege. The lack of recognition is not something easy to point to, not something to which any list of concrete examples can do justice. But, I trust that any-

The Deported Swedish Exchange Student's Words of Gratitude

by Mats Dahlberg (Exchange)

What a difference a year makes! About 13 months ago I put my feet on Canadian soil for the first time in my life. Sure I was excited and I was looking forward to 8 months as an exchange stu-

dent. How my time in Montreal exceeded everything I ever could have imaged! It has changed my life forever!

I don't really know where to begin. Let's start in the end because it will be my strongest

memory from my time in Montreal. The last week was the hardest and most emotionally upsetting time in my life. At the same time it was just amazing. I cannot clearly enough state how much I appreciated the treatment ►

I received when leaving. The love and affection I received from so many of you was amazing. I never felt more appreciated in my whole life. I also want to thank for the support I got when it was hard, because it surely was... Without that support it would have been unbearable. I don't want to mention anyone special but some of you were just fantastic. Finally I must say how much I love my Canadian jersey!! I will wear it with pride. I am Canadian!!!

I left Montreal as a much better person compared to when I arrived. My social skill has developed drastically during the year. All thanks to you McGill people. You are so much more outgoing than I was used to and that has affected me so much and changed my personality. Although, I am not sure Sweden is ready for me! I have already scared people by addressing them when they did not expect it. People are quiet here and not used to people like me! I am also a much more confident person compared to a year ago. I could go on forever about how much I changed but then it would not be any room left in the Quid this week to talk about Iraq, social contract, etc so I stop here. In any case I like all the changes and I owe it all to you.

During the year I got to experience so much. The week in Cuba was amazing, I got up on the stage (almost naked as well...) for the first time since I was 12 during Skit Nite, every Coffee House was a thrill (especially the sponsored CHs) etc. Again I could go on forever...

As I said earlier Montreal exceeded anything I ever could have imagined. To me it is clear why. I will use a Swedish expression to state what I mean. "A place is not better than the people there".

Finally some words of wisdom. Go exchange! It is a great experience, though it probably will not be as great for you as it was for me since you leave the best place on earth! Seriously, it is a fantastic opportunity that could change so much.

I will do my best to keep contact with as many of you as possible. I know it is difficult but I am committed! Friendships are to be treasured. I love you all so much (I get tears in my eyes when I write these words). Again, thanks for an amazing time.

Your true friend, Mats

Ps: I hope you are indulgent towards the linguistic incorrectness in this piece of work. I wanted it to be my words so no one has read through it. ■

THANK YOU...

...to all who helped with Clubs Day on September 8th!

CLUB LEADERS:

Register your club with the LSA by **Friday September 19th**.
Deadline for budget/funding forms: **Monday September 22nd**.

Pour obtenir les formulaires necessaires,
veuillez envoyer un courriel à Alexandra Law:
vp-clubs.lsa@mail.mcgill.ca

A BIG Thank You From Your Orientation Coordinators

by Carol Gagne & Pauline Gregoire (Law II)

Wow. When we took on our positions four months ago, we never expected that coordinating Orientation would be so much fun (despite weekends and overnights at the LSA office ... who knew the night staff plays pool at 5am?). The past two weeks would never have been such a success without the extraordinary enthusiasm and energy of the first-year class. We hope we've made all of you feel welcome at the Faculty and we can't wait to get to know you better over the next few years. Remember to strike a healthy balance between work and fun - and always come to Coffee House!

Of course, we can't take all the credit ... thanks to everyone who helped out in any way, be it selling tickets, serving drinks, or driving us around. To our Frosh Leaders and Pub Crawl Leaders - we absolutely could not have done it without you. You have been more than generous with your time and effort. Dean Foster, thank you for a wonderful barbeque - may we suggest taking up the culinary arts after the interim is over? Gino Caluori, you kept our stomachs full and our balance sheet in the black - and we all have you to thank for an unbelievable Boat Cruise. Brigid Quinlan, a big thank you for producing a fantastic Orientation Booklet (and for reining in your artistic creativity when necessary!). To all the professors, and especially Professor Lametti for being such a groovy deejay, thank you so much for a hugely successful Coffee House. To Pascal Zamprelli, Stephen Curran, Jason Crelinsten, and Howie Kislowicz - our very own funnymen, thank you so much for your hard work on Comedy Night (still waiting for the cordsmith to make you your millions ...). To the LSA Exec, thank you for supporting our ideas and entrusting us with such a huge project. It was truly a pleasure working with all of you. Last, but certainly not least, for being everything from therapist to chauffeur to creative consultant, a gigantic thank you to Stephen Panunto (a.k.a. Pinto - ha! Now it's in print!).

On that note, we tender our resignation as Orientation Coordinators, effective immediately. Have a great year everyone!

A MESSAGE TO YOU

HUMAN RIGHTS INTERNSHIP "FOLIO"

EACH YEAR IN OCTOBER-NOVEMBER, THE LAW FACULTY SELECTS 10 STUDENTS TO PARTICIPATE IN THE 12-WEEK, 6-CREDIT MCGILL HUMAN RIGHTS INTERNSHIP PROGRAMME. THE INTERNSHIPS PLACE STUDENTS WITH LOCAL AND INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS PROMOTING HUMAN RIGHTS THROUGH LEGAL INITIATIVES. HERE'S A GLANCE AT SOME OF THE EMAILS AND JOURNAL ENTRIES THAT WERE WRITTEN BY US OVER THE SUMMER.

From: Marina Sharpe

Subject: Refugee Legal Aid Project, Egyptian Organization for Human Rights (EOHR)

Cairo, Egypt

Sent: Wed 14/05/03

This is an email I wrote at the beginning of my human rights internship as a legal advisor at the EOHR Refugee Legal Aid Clinic. The commentary that appears in square brackets was added on September 3, 2003.

Hello all,

I hope that this email finds everybody well.

I've been in Cairo for about 10 days now, and am having a wonderful time. I moved into my apartment right away, as I had arranged it before I left home. I'm living with 2 guys - one French and one Egyptian - in an area of Cairo called Zamalek. It's one of Cairo's nicest neighbourhoods, and caters to the city's foreign population in terms of its restaurants, shops, and bars.

On my first day here, I visited my apartment, decided to take it, and moved in to a room recently vacated by another legal aid intern who had decided that she needed AC! Although it was pretty much what I had expected, it took me awhile to get used to the place. Surrounded by desert, Cairo is a very dusty place. It's also very [very] hot, so if you don't have AC (which we don't), you have to keep your windows open all the time. That means that everything gets very dirty, very quickly. Furthermore, most buildings are in a general state of disrepair. My apartment was once a beautiful colonial-style place built under the British, but now the marble and white paint on the walls have turned grey, the floors are cracked, and the bathroom and

kitchen are pretty dingy. I was a bit worried at first, but quickly grew to love it. The apartment is huge, and we have two roof terraces that have already played host to a few small parties.

My flatmates are really nice [easy to say when I had only known them for 10 days. Not so by July!], and have been great about introducing me to all their friends. Owing to some odd connection between one of my flatmates and a former legal aid intern, there tends to be lots of overlap between their friends and my workmates, which is nice. Added to that is the fact that it seems like all foreigners in Cairo know each other.

Despite all the potential for socialising, my social life has not been that active because of the amount of work I have to do. I came here knowing very little about refugee law, and my first client's interview at UNHCR is on June 5, so I've had to learn quickly, which means tons of reading. In addition to having to learn about refugee law, you have to learn all about the country from which your client has fled. I should be an expert on the Sudan by the end of the summer!

Cairo is a great city. The only way to describe it is that it is overflowing with life. You can get anything at any time. It is always noisy, and there could be a traffic jam outside your window at 2am, but that's what's so great about it [actually, that is not great at all. In fact, it really sucks].

Today I sat in on my first client interview. Refugees represented by the legal aid project are interviewed a number of times before their UNHCR hearing in order to gather their testimony, which you write up and submit to UNHCR in advance of their hearing (UNHCR handles refugee status determination in Egypt because the Egyptian government can't or won't). As part of our training, all the incoming interns had to "shadow" one of these interviews. I shadowed an interview with a Somali woman, and I've just begun to understand how difficult this job will be at times. The woman is 35, and was denied refugee status at first instance. A co-worker is thus preparing her appeal. The woman is uneducated, and witnessed the murder of her husband and her entire family. Her two children were then kidnapped. She only has one picture of them. She was raped, and had her abdomen ripped open with a knife. As a

result, she suffers constant physical pain. She speaks only Somali, is hearing impaired, and cannot read or write. She cannot tell time or understand dates. She is severely traumatised, and could not go more than 10 minutes without crying. At one point, when the interpreter and the caseworker were on a break, she lifted her dress and showed me the scar across her abdomen where she was cut. It is impossible for her to earn a living here, and if her appeal fails, she will find herself in a protection vacuum. I have never met anyone more marginalized. The interview was extremely frustrating, because as a result of what she's been through, her lack of education, and the language barrier, she could not effectively communicate her story. Everyone (the caseworker, the interpreter, and myself) had to excuse themselves at one point during the 4-hour interview to cry. The interpreter is a 16-year old girl whose file has been closed - this means she and her family have been denied refugee status at first instance and on appeal. Imagine being 16 and having to translate horror stories. Imagine being the client I've described and having the UNHCR tell you that you have no "well-founded fear of persecution."

I've been attending a seminar on torture at the local church. We learn about the different types of torture, see pictures, and learn how to document torture for a refugee claim. So I hear about torture, and then go to a nice European-style restaurant to eat pasta and drink beer with friends, and come home to my apartment which I was complaining about 5 minutes ago but is actually far better than what many refugees could even dream of. This job will likely do my head in [it did]. On that note, I must run to the torture seminar. I hope everyone is having an excellent summer.

Marina

From: Samantha Lamb

Subject: Human Rights Commission of Pakistan

Lahore, Pakistan

My experience in Pakistan was a study in contradictions between the amazing women I met, and the disturbing system they live under. Here are a couple of examples from my e-mails to friends back home: ►

Week of June 27th.

Last night I attended a performance of the Vagina Monologues. For anyone who doesn't know what it is, it is a series of narrations based on a large number of interviews with women from all walks of life, on the topic of their vagina: what they were taught about their sexuality, how they feel about it, major sexual events in their lives (both consensual and violent). It is still difficult for me to find the words for what a powerful and moving experience it was to see it performed here, and to describe the bravery of the local women who fought for years to perform it here. How do I explain the courage required to perform pieces on rape (which since 1979 is barely illegal), lesbian sex, and consensual premarital sex (both of which are illegal here). This was a truly revolutionary act.

Week of July 11th

I went on my first fact finding mission this Saturday, to investigate the murder of a 16yr old girl, just 4 days after her wedding. We went to see her family, her husband's family, and then her husband (her killer). It put a very real face on the research I am doing. I got to see how 90% of the population lives i.e. 8 people crammed into a room which has just 3 walls so is completely open to the elements. The victim's family especially her mother, were still in shock. The murder took place at her in-laws home (as new brides move in with their husband, his parents, and other relatives), and though it had been largely cleaned up, I expect I will be seeing the scene of the crime in my dreams for quite some time. The husband is just a kid himself, and readily confessed. I won't go in to details of his reasons, except to say that ignorance and illiteracy play such a big role in violence here as people kill based on misinformation that wouldn't exist if they had even basic primary education. Sitting in a corner, looking so young and in shock, I felt quite sad for him. That is until the police showed us the blood stained axe he'd used to kill her. While I'm still philosophically opposed to it, I admit that for just a moment, Pakistan's enthusiastic use of capital punishment didn't trouble me quite so much. It is possible that he will be punished, but unlikely. Even though he has confessed, and the police have the murder weapon, all charges get dropped if her family forgives him and pay compensation (Qisas and Diyat Ordinance). The bride and groom's mothers are sisters, and the groom's family has more money so the bride's father will likely be bribed to forgive the boy. It is important to remember that this doesn't mean

he didn't love his daughter, just that she is lost to him either way, and criminal justice won't feed his surviving children. What a world it is that a father has to choose between justice for one child, or feeding the rest.

From: Alexandra Humphrey

Subject: The Centre for Conflict Management of the National University of Rwanda

Butare, Rwanda

Sent: Sat 09/08/03

This morning I visited the parish of Cyahinda, in southern Rwanda, with a Kenyan friend who is conducting research on a genocidal massacre that took place in the church there. 20,000 people were killed, and despite nine years of repeated scrubbing, the walls are still stained with blood.

As we arrived, the sound of drumming and singing drifted over from the next hill. A small election rally in support of President Paul Kagame was underway on the soccer field that had, 10 years earlier, served as a training ground for the interahamwe. In Cyahinda, as everywhere in Rwanda, the horrors of the past are transposed with the need, and determination, to move on.

I was a bit of a curiosity for the villagers, particularly for the little kids. They followed us around, staring at my whiteness from a "safe" distance. Finally, I got fed up and decided that it was totally ridiculous for them to hover. As I stepped forward to greet them, the whole group shrieked and scattered in terror (like a shark swimming into a school of fish). I was so shocked by their reaction that I brought my hands to my mouth and felt like I wanted to cry. A friend who was along translating for us reassured them that there was no reason to be afraid because I was a human being just like them.

We moved on and tried, with some difficulty, to find villagers who were willing to discuss their experiences with us. Eventually an old man and a young man agreed. After interviewing them, we made our way to our car, and prepared to leave. The group of children was still hovering, and in a final attempt, I turned to them and extended my hand. After hesitating for a few seconds, one reached out and shook it. Seeing that all was safe, the rest eagerly followed suit, erupting into a fit of giggles and smiles. It was a wonderful moment.

Later that day, over lunch, my friend and I discussed the difficulties we had encountered in finding villagers who were willing to speak with us. My supervisor and her husband

explained that it was most likely because we had failed to properly present ourselves to the community upon our arrival. Though we had stated who we were as individuals, this meant nothing to the local people: "So you are Alex Humphrey. Fine. But who is Alex Humphrey? Who is she in relation to my family, my community, my village? Why is my existence of interest to her?" It is not that Rwandans are not kind and welcoming people. They simply need to know where you fit in their world.

This was one of the most interesting things I have learned while I have been here, because it has such far-reaching implications for everything that anyone is trying to do to help Rwandans deal with their past. Essentially, it shows that if the solutions you are offering don't fit into the worldview of the local people, then it is unlikely that they are going to embrace them (and if they don't embrace them, they won't really succeed). It's not that the people resent your help, or are beyond it, but simply that they are not sure what to think of it, what to do with it, or what it means.

From: Jonas-Sébastien Beaudry

Subject: Inter-American Court of Human Rights,

San José, Costa Rica

A Paragua Story

Hola Ona,

Aaaah! de retour à Montréal!

Espero que estes bien. Dales mis saludos a Monica, Charlotte, Fernanda, Jasmin, Carolina, Auxi, etc...

Estoy muy contento de haber regresado en Montreal, despues de una estancia en el Holydays' Inn a causa del tiempo malo (el avion Newark-Montreal fue anulado). (rabia....ademas, el Holiday Inn, no sé, el Ritz, quizas, pero el Holiday Inn, pfff...).

Bueno, tambien, si ves a Alejandra, dile perdon de mi parte, he olvidado dejar el paragua en la Corte, y me lo traje en la casa de la exquisita Dona Betty, ella lo traera pronto (o pueden pasar por su casa; Ligia, de la biblioteca, tiene su direccion). Lo siento mucho, tenia demasiado material en mi pequena cabeza para que quepa una informacion mas. Espero que el caso Maritza Urrutia te gusta, probablemente estaras en el caso hasta las narices ahora!! (pero que interesante)... (y no olvidas de guardar 10\$ para comer al fin del mes, porque comer, es menester -- ji ji, rima...).

Un abrazo.

Jonas

P.S. disculpe las errores, no sé como usar ►

los acento espanoles acentos en mi computador..."

Ona answered:

Querido Jonás,

Ahhhhh! como se le extraña... Todo el mundo todo el mundo dice "hace falta Jonás"... Y ahora ¿Quien me va a invitar a ver peliculas como Hulk y Terminator "Ocho"??? Mmmmm...

Pero que bien que ya estes de nuevo en Montreal (lamento lo de la terrible noche en el holiday inn, me imagino debio ser una experiencia traumatizante, otra mas para el pobre Jonás, lo siento mucho)

Les he enviado tu saludos a todos y me pideron a dartelos de vuelta.

Le dire a Alejandra lo del Paraguas y lo de Doña Beeettyyyyyyyyyyyyyyy.

Todo igual por ahora, ah!! con casa mas limpia y ropa plachada (contrate a alguien para que me ayudara con esos menesteres) y trantando de guardar dinero para comer bien. La pase muy bien el dia mi cumpleaños, tuve muchos regalos y una deliciosa torta de chocolate. Muchos amigos y llamadas.

Ya te contare con mas detalle.

ciao ciao

Ona

P.S. No importa los acentos, yo ni siquiera los uso.

This is a message I sent Ona, an assisting-lawyer at the Inter-American court, from Montreal. The Court provided the employees with pencils, paper, a computer and... an umbrella! ("paragua" in Spanish) And I needed to tell her I left mine at the house of a good-natured (but loud) lady that was renting a room. It might not be the most original anecdote to bring back, since the celebration of a marriage and a speech by Colombia's new president are amongst the things that happened in the Court during my stay...but it is, as many little things in life (that sounds pompous), an essential part of a bigger picture; every intern learned it, you see it in the streets: you never go out in Costa Rica without your paragua.

From: Charmaine de los Reyes

Subject: International Centre for Ethnic Studies (ICES).

Colombo, Sri Lanka

Sent: Fri 18/07/03 2:18 AM

Hey everybody!

I've been wanting to write another life in Sri Lanka update, but it's been pretty hectic here. I was extremely busy working on the emer-

gency rule paper. This is the project I thought had been put on the backburner, but then found out that I had to submit it mid-July. It was a bit of a stressful experience, but it's all done and I couriered my work to Radhika (who's currently in Oxford) yesterday. I developed a real love-hate relationship with the project -- loved it because it was so interesting and hated it because I was so stressed about meeting the deadline date. Sri Lanka has experienced more years of emergency rule than democratic governance, a practice that meant to respond to the war with the LTTE. In total, it's estimated that 60,000 involuntary disappearances have taken place due to the acts of the security forces and police officials (which places it second to Iraq's record) since 1983. What's ironic is that while a culture of legal impunity was developing for state officials, the judiciary became more independent and helped to foster the development of fundamental rights, such as freedom from torture. Only 3 cases have successfully secured convictions for guilty security officers -- yet no police officer has been made accountable for their acts of torture.

There still hasn't been much resolution to the deadlock in the peace talks. The LTTE still won't come to the table, stating that the government has to come up with an appropriate interim agreement to give control to the Tamil people in the north and east before they will reconsider negotiation with the government again. I recently went to a discussion on the need to create an interim agreement, and the extreme Sinhala and Tamil nationalism was very apparent. There were government speakers who stated that they didn't want to hand over an interim government arrangement to a "bunch of murderers" (as if the government didn't turn a blind eye to the killings and disappearances of Tamil people). On the Tamil side, there were speakers who felt that the LTTE were the only group that could really respond to the aspirations of the Tamil people (a strange assertion considering that a somewhat recent spate of LTTE assassinations of Tamil moderate politicians have occurred).

Anyways, on to happier topics...

A few weeks ago, all the ICES interns were invited to Radhika's mansion-like house for dinner. We had the most amazing Sri Lankan food since I've been here and we even had real coffee to end the meal. Since most coffee that you get here tastes like it's 3 days old, being able to have a cup of real Italian coffee was absolute heaven. It was also fun getting to see the personal side of Radhika -- we

talked about her getting accustomed to her new life as chair of the Human Rights Commission, and how she can't travel outside the country without getting permission from the president. After a decade of constant travelling around the world, serving as the UN Special Rapporteur on Violence against women (a position she had to give up when she was appointed to the HRC), she's a little worried about getting "island fever". She also can't have big parties at her home anymore since she has to keep a low profile -- partly because the LTTE weren't very happy about her appointment to the HRC, since she's somebody they can't control and the LTTE is all about having control. There's also been some concern about improving security at the ICES, since LTTE members have been visiting our library. For now, it seems like the LTTE people that have come were genuinely doing research, rather than scoping out the place.

A couple weeks ago I went to the east coast of Sri Lanka on a tour bus with a whole bunch of mostly elderly Sri Lankans. Talk about an area of contrasts -- you have the incredibly beautiful beaches at Nilaveli and Trincomalee (white sand and clean, warm waters) and then you have the bullet ridden buildings, army training base, and frequent army checkpoints. When we went to the beach I felt a little nervous since Sri Lankan women swim fully clothed, and I was feeling extremely self conscious about having to get in the water with only my bikini on. So the strategy was to let everyone get in the water first, then I got as close to the water as possible before whipping my sarong off, jumping into the water and swimming away from the more modestly dressed. I quickly realized that I was being ridiculous so I decided to risk the embarrassment and joined the rest of the group. It was actually fun hanging out with this older generation and they told me stories about how exciting it was for them to be able to see the east after 20 years of not being able to travel to this former war zone.

That's all for now. Until next time, Char

From: Janina Fogels

Subject: Human Rights Watch

New York City, New York

Sent: Sat 05/07/03 12:18 PM

Hey guys,

This editorial from today's Washington Post just about sums up the crux of the latest campaign I've been working on. A campaign that both failed and succeeded -- while the ►

US succeeded in signing deals with about 50 countries (reportedly using bribes, veiled threats, etc.), another two dozen have stood firm and refused to exempt US citizens from the International Criminal Court, should they commit any genocides, crimes against humanity, war crimes, or crimes of aggression on their countries' territories.

July 1, according to US law, was the last day states could agree to a deal -- but turns out that the US will continue to try to negotiate exemptions into some unknown point in the future, that the 'deadline' was mainly a bluff. I like this editorial because it points out that this policy is counterproductive to other US interests -- such as the war on drugs, NATO -- and because it stresses that the prospect of a US citizen committing crimes like these is so achingly slim that the whole exercise is rendered merely symbolic, hypothetical, and basically empty of real meaning except as a blunt denigration of the ICC and the concept of international criminal justice.

(Note the reference to discontinued hurricane relief? Comes from a memo I worked on...!) Luckily, the amount of aid countries actually lose is in fact negligible, and some have just said it'll come out of their own national budget or from a substitute outside source. Interesting that some NGOs working for the ICC, such as Lawyers' Committee for Human Rights, and the WFA, have refused to take a stance on the issue, because they oppose the idea of military aid flowing from the US on principle. Food for thought.

Hope y'all are doing well,
Janina

From: Abigail Dubiniecki

Subject: The Cambodian League for the Promotion and Defence of Human Rights (LICADHO)

Phnom Penh, Cambodia

Sent: Thu 17/07/03 5:00 AM

If the first 1.5 weeks at work were marked by me feeling a little useless and not sure exactly what to do with my time, this week was marked by a very busy schedule! Between finishing off reports, doing field work, meeting new people and trying to get Montreal things in order, things have been busy. Since I last wrote, a lot has happened. I've made 3 prison visits, visited 2 court houses, spoke with inmates, judges, prosecutors and court presidents, and participated in strategizing meeting to address the issue of excessive pre-trial detention with an international judicial mentoring program. I've been scrambling to

finish off a report which keeps getting longer and longer as we discover new information, and have been hanging out with people here and there. I've met a lot of really great people here, both expats and Cambodians.

A few weeks ago my friend Seyha (Khmer) took me to this resort area just outside of Phnom Penh called Kien Sway. We ate in a little water hut -- basically a platform covered by a thatched roof that sits on stilts in the water -- bought fruit from a woman who sailed up to us in a long canoe-like boat, later took a ride on the water in a similar boat, and just whiled away the day. At one point Seyha, who is 17 or 18 years old, was flipping through my Phnom Penh Visitors Guide, and came across the description of the Killing Fields [of the Khmer Rouge era]. I asked her if she'd been there before. She hadn't, and didn't want to. Most of her mother's family was lost during that time, including her mom's first husband, her own grandparents, and some children. This was of course before Seyha was born, but it was close enough that it still had an impact. I was close to tears hearing her talk about the sense of loss.

Everything looks fine here on the surface in Cambodia, and if you didn't know about the genocide you wouldn't realize something like that had happened here. But the impact of that horrible event are still felt everyday here. Rather than experience a brain drain as in other countries, Cambodia's most educated were killed at the hands of the Khmer Rouge. They literally killed all the lawyers and judges, (among other professionals) so the judiciary is now comprised of people with little education, generally very unqualified for the task. There is no rule of law here in Cambodia. The judiciary is weak and corrupt, people are held in pre-trial detention sometimes for years without being tried, for even minor offences like stealing a necklace. Victims of rape or trafficking are further victimized in the courtroom, where judge, prosecutor, court clerks and police and lawyers all gang up on the victim to demonstrate how it's her fault. This is usually because they've been paid very well by the perpetrator to return a favourable verdict. It's disgusting. The domestic laws here allow someone with a high school education, or a family member of any educational level, to defend an accused person in criminal proceedings to address the shortage of qualified lawyers here. Still, in practice, there are many barriers to receiving legal assistance.

Torture or extortion are routine practice in police custody, and although the Constitution

and the entire legal framework will not admit confessions obtained by force as grounds for conviction, they always do...Often the police torture because they think they need a confession to convict. [Many tactics are reminiscent of those used under the KR at times.] Evidence gathering is poor. It doesn't seem they have much in the way of facilities or will in this place to actually conduct a thorough investigation and convict on the evidence. And there is literally no law on evidence here. People are allowed to use witness testimony in theory, and are entitled to see their case files whenever they wish in order to prepare a defense, but often people do not have access to legal counsel, and if they do, sometimes lawyers themselves are harassed and intimidated, or prevented from seeing their clients, let alone their case files. Other times they are just plain corrupt themselves. This is particularly true for political prisoners. Now "terrorism" is an excellent buzzword to use in order to suspend all civil liberties and rights to a fair trial. This label has been placed on human rights defenders all around the world since 9/11 to silence them or undermine their work.

People here are really great to work with, and I've learned so much about effective strategies for implementing human rights law on the ground. Let me tell you, non-legal strategies are the way. People use anything from theatre, to comic strips, monitoring, interventions, letters to the UN -- you name it...Lots going on here!

I'll talk to you all soon. Ciao for now,
Abigail

Eva Gazurek

**Canadian HIV/AIDS Legal Network
Montreal, Canada**

Nothing could really disturb my work that afternoon, not even the sound of the horse carriages on the cobblestone pavement or the buzz from the tourists below on the street. I sat back, sipped on my Iced Cappuccino, looked at Montreal's Old Port drowned in July's hot and sticky atmosphere and thought... why couldn't all jobs be like that? I spent my summer interning at the Canadian HIV/AIDS Legal Network, and I can say that it definitely was one of my best summers. Since my very first day, not even a week after the April exams rush, until the very end of vacations, I felt that my summer was not only interesting and challenging, but also greatly rewarding. My role was to conduct a study of the anti-discriminatory protections afforded in law and policies in Canada, as well as ►

a review of the limitation of the current human rights system particularly as experienced by marginalized people in the context of the HIV/AIDS epidemic. I spent a great deal of time applying and developing the legal research and writing skills I had acquired during my methodology class and learned probably more than in any of all my human rights courses taken previously. After a first year of law school it was the perfect setting to use the knowledge I was so eager to apply.

But that is not all. What made this summer truly invaluable was the feeling of collegiality, partnership and recognition that exists at the Network. Each intern is fully integrated into the Network's projects and activities and students are seen as true colleagues and not simple "summer employees". We were given the opportunity to publish, were recognized by name for all the research undertaken and could participate as representatives of the Network at different events such as capacity building, community advocacy, action and

mobilization. In none of my previous internship and volunteer commitments had I ever found an environment so fruitful in intellectual and personal enrichment.

As summer is nearing to its end and the sound of horse carriages has stopped echoing in my ears I sit back, sip on what is probably going to be my last Iced Cappuccino of the season, look at the Old Port in the crisp fresh autumn morning and promise myself that all my jobs will be like that.

*****STUDENTS INTERESTED IN THE SUMMER INTERNSHIPS SHOULD ATTEND THE UPCOMING INFORMATION SESSION IN EARLY OCTOBER, DATE TBA. ■**

The Faculty's "Other" Language Policy

by Regan Morris (Law III)

I have a confession to make: this summer I tried to take a non-law course to improve my French. Before my request was rejected, I am certain that my application to McGill was brought out and dusted off, my letter of intent re-examined with care, and the word "bilingual" noted with a snicker. The course was to be Littérature française du vingtième siècle. We were to study some of the greats, Comte and Sartre among others. It was a summer course, offered intensively for a month in May. I was taking the course for my own personal motives. I thought it would be a good way to improve my written French while studying a subject I genuinely like. In hindsight, I shouldn't have mentioned that I was taking the course to study a language. I shouldn't have told them that I wanted to use literature as a way to immerse myself in the expressions, idioms, and the multifarious shades of meaning and tone that can only be captured in the language of another culture. I should have, instead, just written: "Looking

Heureux qui, comme Kasirer

by Edmund Coates (Alumnus II)

Heureux qui, comme Kasirer, va faire un beau voyage,
Qui cherche du doyenné raffiner la fonction,
Et plaire à l'étudiant qui chérit l'ambition
De vivre chez ses parents le reste de son âge !

Quand le reverrai-je, hélas, adepte de ce sage,
Feuilleter son Carbonnier, et en quelle saison
Reverrai-je l'écarlate alchimie de la propriété d'un secret et de l'immobilisation,
Alors qu'il est toujours la proie des nécrophages ?

Qui fait du poudreux glaive codificateur,
La douce prévoyance d'une mère exemplaire, d'un père précepteur ?
L'homme qui voit en toute vie, en toute fécondité,
L'œuvre sublime.

Scrutant mille pages sur sept péchés,
Il redore, chère Thémis, ton obscur velours,
Dessinant fine justice sous l'œil de nos amours,
Éclairant de ses vertus un vert sentier.

Ni porté par les flots, muet comme un poisson,
Ni Machiavel, affilant son hameçon,
Puisse-t-il se garder de poser un plancher
À l'abîme. ■

for bird course. Microeconomics all full."

The Faculty's "other" language policy—that you are not allowed to take language courses for credit unless you are completing a minor in that language—strikes at you with a two-pronged idiocy. As potential applicants to the school, students are drawn in by the Faculty's bilingual course offerings (the Faculty's first language policy), and its seeming openness to a number of different cultural and language backgrounds. But as the language course policy suggests, being a polyglot is all fine and dandy, just don't try to improve your language

skills once you get here.

The policy is also based on the assumption that language courses are beneath the average McGill law student. This is at best inconsistent with other policies, and at worst just plain dumb. I can assure you that I would have more trouble with the Cyrillic alphabet and the intonations of Mandarin than I would memorizing short-answer responses for microeconomics. And if the problem is that we as law students simply crave taking bird courses for easy credit, then the administration should screen on a course-by-course ►

basis, not have some overbroad, catch-all policy. I have friends who took courses this summer with catchy titles like "Social Problems" and "Canadian Communications". One friend in particular scraped by with an "A" after having attended only a couple of classes. You might say that my friends are just really smart (and I would not object), but these courses are also bird courses, plain and simple. But what galls me the most about the language course policy is that I wasn't even trying to take a language course. It was French literature, a discipline as well established in the hallowed and snobbish halls of the university as you can get.

The Faculty's language course policy is

archaic at best. It is based on a 1960s academic disdain for the then-new language departments that were being introduced into Canadian universities. Can there be any doubt

The Faculty's "other" language policy-that you are not allowed to take language courses for credit unless you are completing a minor in that language-strikes at you with a two-pronged idiocy.

today that improving on a language is a worthwhile academic pursuit? The Faculty certainly can't find intellectual support in Goethe (a lawyer himself) who once remarked that "if you don't know foreign languages, you don't know anything about your own." Nor can it (reasonably) deny that a knowledge of languages would not serve us,

the students, well in an increasingly international legal market. It seems odd that we are taught to be proud of our bijuridicalism and our Faculty's international outlook, while the Faculty snubs its nose at the very bedrock of international (if not national) cooperation: the knowledge and respect for the language of another culture.

I have a final confession to make: I failed to bring the language course policy issue to Faculty Council last year when I was a councillor. I can only hope that whoever takes up the mantle(s) of Faculty Councillor this year will challenge what is an unfortunate and unbecoming policy. ■

The State of the Main

by Jeff Roberts, Law III

It's the heart of Montreal. Forget Notre-Dame Cathedral, the mountain, or the old port - it's St. Laurent Boulevard that epitomizes all that's glorious and venerable about our city. The Main is where we shop, stroll, dance, vomit and fall in love. It is us.

St. Laurent has long been the place where ethnic, cultural and linguistic arrivals tumble over one another to produce an ever-renewing whirl of Montreal energy. And recently, the street has been changing once again. Prosperity has come charging back and chased away broken windows and empty stores.

The Main's new face is, in part, a welcome one. Grizzled veterans of referendums and recession are understandably cheered at the sight of posh shops and 'Help Wanted' signs. Merchants rejoice at the opportunity to peddle something other than pizza and expired Boréale.

But parts of St. Laurent's new face are becoming hard to take. The Sherbrooke-Pins strip is becoming a near-insufferable jumble of squeaking yuppies and siliconed waitresses. The new plethora of pseudo fine-dining joints is particularly grating. Just who are these people who enjoy paying through the nose to gobble mediocre pasta amidst a gaggle of cokeheads?

The bars of the Main are likewise in tran-

sition. The old salad of clubs, dives and pool halls has been eclipsed by a more homogeneous scene. The days of the Biftek/Miama-style watering hole may be numbered as pricey, blue-tinted establishments threaten to drown the street in computer-generated dance music. The disappearance of bona fide punk rockers from the street may be only the beginning of generic night life.

As for the retail face of St. Laurent, the latest wave of changes has brought mixed blessings. Food shopping has never been better as institutions like Slovenia and Vieille Europe

able St. Laurent may never fully recover. The villain here is the hideous Pharmaprix that opened above Pins. Dripping neon in all directions, this gargantuan plastic box has ripped up the continuity of the street unlike anything before it. You don't need to be a frothing, anti-corporate type or a Warshaw sentimentalist to hate this place. Let's all boycott and hope it dies.

As St. Laurent street - and with it, Montreal - comes to terms with a new era, the experience of another great North American city may prove instructive.

In a recent address, poet laureate of San Francisco, Lawrence Ferlinghetti, pronounced on the gentrification that was engulfing his city: "Now it's becoming almost impossible for a lot of the people who have made this such a

world-class city - people who have been the heart and soul of the city for decades - from the fishers and pasta makers and blue-collar workers to the jazz musicians to the beat poets to the punks and so many others - to exist here anymore. And when you've lost that part of the city, you've lost San Francisco."

As St. Laurent Street - the heart of our own city - continues to transform, Ferlinghetti's words provide a useful caution. ■

Forget Notre-Dame Cathedral, the mountain, or the old port - it's St. Laurent Boulevard that epitomizes all that's glorious and venerable about our city.

continue to flourish. 4 Frères summer face-lift may not be enough to keep the grocery store's management from damnation, but it does represent a dramatic improvement.

Clothing stores continue to open up and down the street, helping to keep Montreal the sharpest looking city in North America. Cafes and junk shops remain plentiful, and have recently helped to liven up the long-time dead zone between Mont-Royal and St. Joseph.

Trouble came this summer, though, delivering a severe blow from which ever- adapt-

Micturating into the Prevailing Breeze

Canada and the Charter, Part 1 of 7:

Canada Comes of Age

by Daniel Moure (Law III)

The Charter has had a profound impact on Canadian politics. Nearly every conceivable type of legislation has been challenged for its alleged unconstitutionality, from welfare legislation to maternity benefits, to restrictions on advertising, to income tax provisions, to city mergers, and the list goes on. No longer do citizens opposed to a governmental policy have to become politically involved. Instead, provided they have approximately \$500,000 or are poor enough to qualify for legal aid, they can hire lawyers to challenge the policy all the way to the Supreme Court of Canada. The Charter, we've been told, is supposed to protect vulnerable minorities from the tyranny of the majority. But the record of judicial review under the Charter is rather poor. In this series, I examine the Charter's historical record and conclude that, contrary to the claims of Charter cheerleaders, the Charter has had a negative effect on Canadian democracy.

The courts have rendered undeniable victories for women and particularly homosexuals. But the Supreme Court has also used the Charter to undermine many of the protections which workers and unions had acquired since the Second World War. Possibly the greatest beneficiaries under the Charter have been corporations and the rich. As legal persons, corporations are entitled to some Charter guarantees. More importantly, because no one may be prosecuted under an unconstitutional law, corporations can argue that a law that applies to them is unconstitutional because it violates someone else's rights. And the courts' many rulings striking down third-party spending limits during elections have also served to benefit the wealthy. After September 11, the government has subjected Muslims and individuals of Middle Eastern and South Asian descent to special scrutiny. Though public pressure has led to some government restraint, no court has yet challenged the government's "anti-terrorism" activities. But the first victim of the Charter was Quebec's Bill 101.

Trudeau is likely the most popular prime min-

ister among Anglophone liberals in Canada. Not only was he witty and sexy, but he also patriated the Canadian Constitution and gave us the Charter in 1982. The present chief justice, Beverley McLachlin, expressed a widely held view about the symbolic importance of the Charter: "In the Charter, I think Canadians saw the reflection of the kind of society they wished to build, for themselves and for generations to come. While Patriation symbolized the raw fact of self-determination, the Charter made a statement about the purposes to which Canada should dedicate itself. Every nation needs a basic statement of what it stands for. For Canada, the Charter was that statement." This view may be appealing, but it overlooks Trudeau's primary motivation behind the Charter—the desire to keep Quebec in its place. Trudeau's political life was characterized primarily by his attempts to defuse aspirations for Quebec independence, and he was first elected prime minister in 1968, the same year that René Lévesque's Parti québécois became a provincial political party. In 1969, the Trudeau government passed the Official Languages Act, which instituted federal bilingualism across Canada, and defended it as a safety measure against the growing separatist movement. But Trudeau pursued other avenues against separatism as well. Even before the FLQ Crisis of 1970, the RCMP, with the acquiescence of the federal Cabinet, engaged in intimidation tactics, including arson, against separatists. And during the FLQ Crisis, the government invoked the War Measures Act, under which it detained approximately 500 people without charges. Though not one link between the PQ and the Front de libération du Québec has ever been found, PQ supporters were targeted as much as suspected terrorists.

In 1976, the PQ was finally elected in Quebec, and the following year it passed the Charter of the French Language, or "Bill 101." Since the early nineteenth century, Francophones in Quebec had found themselves subordinated to an Anglophone economic elite. In the early 1970s, Francophones

made up over 80 per cent of Quebec's population, but almost all the important sectors of the economy were owned primarily by Anglophones who felt no need to learn French, and social mobility was nearly impossible for non-English speakers. Anglophones educated their children in English, as did most immigrants. The overwhelmingly popular Bill 101 was intended to change this situation. It required all children to be educated in French, except children of Anglophones who had been educated in English in Quebec. It also made French the sole official language of the courts, the Legislature, legislation, regulations, and commercial signs.

Largely as a result of Bill 101 and other PQ initiatives, Trudeau pushed for the patriation of the Constitution, including an entrenched bill of rights. During the 1980 referendum on Quebec sovereignty, Trudeau promised Quebecers that the Canadian federation would be restructured if they voted against sovereignty. Sixty per cent voted "no" in the referendum, and the same year the federal and provincial governments held a constitutional conference.

Trudeau had claimed that every aspect of Confederation was negotiable, but in fact he insisted on maintaining a strong federal government and establishing an entrenched Charter to protect minority language education rights and thereby defeat Bill 101. The constitutional conference collapsed on the second day. As a result, Trudeau attempted to patriate the Constitution unilaterally, but Quebec, Manitoba, and Newfoundland challenged Trudeau's unilateralism before the Supreme Court. Though the Supreme Court acknowledged that it had no jurisdiction to rule on the issue, it did so anyways. It held that the federal government was constitutionally permitted to patriate the constitution unilaterally, but also that the resulting constitution would lack political legitimacy. Some, but not all, the provinces would need to agree to the proposed constitution if it was to be seen as politically legitimate.

Accordingly, the federal government ►

negotiated a new constitution with the provinces in 1981. It is true that there were extensive public consultations to bolster the constitution's legitimacy. It is also true that most Canadians supported patriation and the Charter. Nonetheless, the structure of the Charter demonstrates its anti-democratic purpose, as Mandel has demonstrated. Every substantive provision in the Charter is subject to the s. 33 override clause, except s. 6 mobility rights and s. 23 minority language education rights. Section 6 was intended primarily to prevent provinces from prohibiting human and capital mobility within Canada-particularly to ensure that Quebec could not decide

to discriminate against Anglophones wishing to move to Quebec for work purposes. Most importantly, s. 23(1)(b), colloquially known as the "Canada clause," directly conflicted with the education policies of Bill 101. Trudeau did not want to include an override clause in the Charter, but he compromised in order to secure the support of the provinces. But he refused to allow s. 33 to apply to s. 23, since Trudeau's main reason for wanting a Charter at all was to thwart Quebec's nationalist aspirations, including its language policies.

As a result of s. 23 and the absence of a Quebec veto right over future constitutional

amendments, Quebec refused to sign the Constitution. But the Supreme Court's ruling in the Constitution Reference enabled the Constitution to bind all of Canada even without Quebec's signature. The patriation was celebrated in English Canada as the final coming of age of a peaceful and egalitarian nation. But the Constitution Act, 1982, like the Act of Union of 1841, was intended primarily to ensure that Quebecers would be unable to do as they wished.

Next week: Part 2, The "Canada Clause" v. Bill 101. ■

Sports for Dummies

by Stephen Panunto (VP Athletics)

To the first years: hi, and welcome to McGill law! My name is Stephen, and I'll be your VP Athletics this year. Everyone else: welcome back, and if you don't know, I'm Stephen, and I'll be your VP Athletics again this year. By now, all you first years have been overwhelmed by the amount of work you will have to do this year. Of course, you are all here primarily to exercise your minds, gain an education and hopefully find a good job. My job, though, is to help exercise the rest of your body, have fun and hopefully find some new friends. And I promise that you will all have time to play at least one intramural sport without it affecting your GPA: most sports have a four or five game schedule over the course of a semester. With these promises and ideals in mind, there are many opportunities for athletic competition with and against your fellow law students.

Some of the fun has already taken place: during the (interim) Dean's barbeque, the LSA executive avenged last year's humiliating loss to the Professors in the tug-of-war battle. (we can now lay claim to having better ringers than the professor's!) And this past Wednesday, the 2nd Annual Faculty vs Student softball game took place. After hearing all year about the professor's dramatic last-inning victory last fall, the students have something to brag about with a lop-sided victory this year (we won't mention the score, just to protect the Professors' egos). I would like to thank Professors Lametti and Saumier for helping to organize these events, which were enjoyed by all once again this year (and of course to Pauline and Carol for organizing all of Orientation, including these events).

Unfortunately, by the time this Quid is published, the deadline for entering intramur-

ral teams will have already passed (although you can still join a team if there is room until the mid-point of the season). Intramurals provide a chance to get together with your colleagues and have fun. There are a variety of sports offered through McGill athletics that offer differing levels of competition in a wide variety of sports. - and there is always next semester to find a team (the sign-up sheets will be up again in December so teams can organize themselves for the winter semester). Hopefully we can claim a few more intramural championships, like members of last year's Malum in Se, who took home a coveted intramural mug in Women's "A" ice hockey. They are now poised for another run after moving up to Men's "C". It may be the last hurrah after 4 years together for the Rossoneri in Men's "B" soccer, (including yours truly) and we'd like to go out with a second mug. And last but not least, Chico Resch has moved up to the "B" division in men's hockey (get used to hearing about Chico, by the way - you'll all be seeing much more about them in the Quid).

Coming up this Friday is the 9th Annual LSA Golf Classic. This golf tournament offers all members of the faculty the opportunity to play, no matter their level of play - even those of us who first stepped on a golf course at last year's tournament (it will be the third time I have ever played, so inexperience is NOT an excuse) Also, it's Vegas rules, so you can just ride the coattails of the better players in your foresome - and if you don't have a foursome, don't worry, you'll meet some new people. And if you are still apprehensive, the \$50 fee includes not only a day of golf with fellow students, professors, alumni and lawyers, it also gives you the chance to

drive a golf cart, enjoy a four-course dinner and take home a door prize from one of our many sponsors, like Borden Ladner Gervais, Heenan Blakie, Osler Hoskin & Harcourt, Carlos & Pepe's, President Stone and Molson, or win a prize for longest drive, courtesy Robinson Sheppard Shapiro.

October brings the renewal of an old rivalry in the form of the Malpractice Cup, pitting McGill's future lawyers against McGill's future doctors. There are three phases to this event: we start the day with a round of very friendly, completely un-competitive sporting events on the reservoir; then, we move to the moot court later that evening for a trivia competition, where no-one raises their voices or loses their tempers. And after we finish beating the doctors again, we move to phase three: helping them drown their sorrows at a joint med-law party. (Oh, if you don't know me very well, you should know that I have been known to be sarcastic on occasion).

The biggest event of the year, however, will be Law Games, this year to be hosted by Dalhousie University in Halifax from January 7th-11th, 2004 - so when you book your trip home at Christmas, make sure to be back for this event (although classes start January 5th anyway). McGill hosted this event two years ago, and last year we sent over 90 McGill Red Devils to Quebec City - and none came back in quite the same condition. Last year we captured the Academic Award thanks to our win in the Mooting Competition, as well as finishing both first and second in public speaking. We also continued our dominance in the fun games competition. However, it has now been four years without a Spirit Award (the most coveted Law Games award), and three without the sports award. For you first-years, this is the event to look forward to - just ask any upper-year student who has attended one. And this year, we will be staying in a 24-hour Casino/hotel. Come early October, we'll be starting to organize a delegation, so if ►

you're interested in joining the Law Games committee, let me know!

Last but not least, and while it can only be mentioned in a column about "sports" with the most broad definition of the term, I want to brag, errr, I mean remind everyone that this past April, last year's LSA executive purchased a brand new fooseball table, and also

had the pool table recarpeted (that nice red surface you now see). Over the summer, the university, again at the request of last year's LSA, had the floor replaced and the walls painted. You will soon be able to borrow brand new pool cues simply by leaving your student ID in the LSA office.

Throughout the year there may be other

activities planned as well (a faculty hockey pool, post-Coffee Haus trips to see the Canadiens, etc.). So keep your eye on the Sports bulletin board right outside Pino & Matteo's. And feel free to email me with any questions or suggestions at vp-athletics.lsa@mail.mcgill.ca. ■

Lend your voice to Legalease

LegalEase is a half-hour long radio show about the law that is broadcast every Friday from 11:30 to noon on CKUT, 90.3 FM. For the past few years, the show has been run by students in the faculty of law at McGill, and now you can add your voice to the tradition. Last year, there were about four or five students who worked on the show at various times. This year, we would like to change things up a bit and get many more people involved. The basic idea is that, with more people, we can devote more time to preparing the shows and thereby significantly improve the quality of the program. We had some great shows last year, and the station asked us if we would be interested in expanding to a full hour. This could only be done with a strong group of contributors and a solid organizational structure to keep the ball rolling year after year. If you are interested in being a part of the LegalEase experience, send me an e-mail at aaron_chase@hotmail.com. If you don't want to work on the show, then at least listen to it!

2nd Annual Shabbat Dinner

The McGill Jewish Law Students' Association cordially invites you to join us for traditional Jewish cuisine (and sweet kosher wine!) at our 2nd Annual "Orientation Shabbat Dinner". This event is open to all students, regardless of religious affiliation. It will be held at the McGill Ghetto Shul, located at 3573 Lorne Avenue, #2, on Friday, September 19th, from 7-9pm. The cost of the event is \$13.50. This is an excellent way to meet and mingle with your fellow students while experiencing a bit of culture. Last year's Shabbat Dinner was a resounding success, and with your help, this years will be even better. Please make all cheques payable to "Canadian Jewish Law Students Association". For more information, please don't hesitate to contact me at 726-1465, or by email at elanroiz@hotmail.com.

Elan Roiz
Co-President of the JLSA

THE QUID STILL NEEDS YOUR HELP!

We are currently looking for someone who would be willing to give Aram a hand with web editing.

Duties: Improves and maintains the Quid web site (www.law.mcgill.ca/quid).

Time commitment: 1-3 hours every other week.

The perfect candidate: Has intermediate knowledge of HTML (if your favourite web editing software is notepad, then you're definitely qualified!) and basic knowledge or willingness to learn what PHP is.

If you would like to join the team, drop us an e-mail at quid.law@mcgill.ca.



While I'm in a Bad Mood... These New Lockers Blow

by Greg Sheahan (Law II and former dank megalocker inhabitant)

Before I begin this rant, I should probably confess to a fair degree of ignorance about the school locker market. I have never been put in charge of buying, selling, trading, upgrading, or even cleaning lockers for any major educational institution. What I do have is decades of experience as a locker user. Indeed, I graduated from the naïve and trusting world of cubbies to the cruel and secure world of lockers back in 1980, before many of our fellow law students were even born, and several years before Han Solo was rescued from the clutches of the vile gangster Jabba the Hut. And after getting a look at the rows and rows of shiny new lockers in the Pit, I dare say that whoever McGill Law's Director of Locker Purchasing may be, he is clearly way out of touch with his consumers. Alas, since the Faculty has yet to open up its market to competing locker providers, we are all likely to suffer serious back strain at the hands of the locker monopoly.

So let's get it right out there. They're too damn skinny. As if I needed to be reminded yet again that it was a huge mistake to buy Les Obligations, the Faculty drives the point home by presenting me with a locker that is 0.8 times the width of Les Obligations. Now I have to lug the useless \$90 tome around with me until I can pawn it off on some wide-eyed first-year*. Preliminary estimates put the width of the lockers at 1.2 inches (yeah that's right, I said inches, Metric Boy). Forget keeping your books in there. They're too narrow to cram even the lankiest of nerds into.

Many of the new lockers are replacing units that offered both a narrow locker and an accompanying short, squat locker on top. However, some replaced the undeniably dank megalockers that formerly populated the west end of the Pit. In that regard, it seems the total number of lockers has been increased by a few score. I can only assume that part of the reason for the new space-efficient but useless lockers was the need to ensure that no student was left lockerless. Now, I love hardcore communism as much as the next guy, but I think the "make sure there's enough for everyone" movement has spun a bit out of control, especially since the release of James Cameron's fantastical science-fiction epic

Titanic. While the film surely makes a strong case for the universal provision of essential services (e.g., lifeboats) to all those who need them, I think the Director of Locker Purchasing has failed miserably in applying Cameron's wise lessons to the problem of school locker scarcity. For rather than throwing aesthetics to the winds and adding new lockers, as Best Director and self-proclaimed "King of the World" Cameron would have him do, he has replaced perfectly functional units with completely useless ones.

Imagine, if you will, that the guy in the crow's nest of Titanic wasn't a skeezy voyeur, paid no attention to DiCaprio and Winslet hooking up on the deck, saw the iceberg on time and shouted "Hang a Louie tout de suite!" thus averting disaster. Or imagine that the iceberg in question had been a slice of date nut bread. Either way, ship didn't sink. Cut to the board room of the Whitestar Corporation (aka Titanic Inc.):

Corporate Fatcat #1: Whoa, we really

dodged a bullet there, boys. If that berg had downed our boat, we'd be facing tons of gigundo lawsuits.

Corporate Fatcat #2: You're not kidding! It woulda been the trial of the century! Well... assuming no retired professional athletes hack up their wives in the next 88 years.

Corporate Fatcat #1: So how can we cover our asses for next time?

Corporate Fatcat #2: Way I see it, as long as we have enough lifeboats for everyone, we're in the clear.

Corporate Fatcat #1: But won't that clutter up the deck?

Corporate Fatcat #2: Riiiiight, right. Forgot about that. Okay, how about this: We replace all of the current lifeboats with really, really skinny [wait for it...] lockers. I'm thinking about 0.8 times the width of Les Obligations. That way they'll all fit, and we can have twice as many!

Corporate Fatcat #1: That's frickin' ingenious. Some days I wonder how I got to be Corporate Fatcat #1 instead of you.

Corporate Fatcat #3: Erm... sorry to bust in here, but won't that make them totally useless to everyone, doubling the potential death toll?

Corporate Fatcat #1: You will speak when spoken to, Fatcat #3. Didn't I tell you to get me a Danish?

I trust by now I've made my point with all the delicacy and subtlety of James Cameron himself. The ultimate effect of replacing fewer good lockers with more useless lockers is a huge drop in the total number of students who will actually get any good use out of them.

I would like to propose, nay, demand that we bring back the old lockers. We can always sell the new ones to the Faculty of Sweeping, Mopping and Hockey at U of M. They'll be able to put them to the kind of use they seem to have been designed for. I know that the old setup will leave some people without lockers, but at least somebody will be using them. And we could make the locker selection process as fair as possible, using, say, a random selection process, or a no-holds-barred fencing tournament to determine who gets first picksies. En garde! ■

A Special Thank You to the Administration

by Aaron Chase (Law III)

I just wanted to extend a warm "thank you" to whoever replaced the old lockers.

Who needed all that extra space!

At this rate, perhaps by the time I graduate I will have a locker that I can store a single strip of Listerine FreshBurst in.

Straight Talk

by Edmund Coates (*Alumnus II*)

The influence of the losers is gaining at McGill law school, yet again. At least this seems to be the case, from, among other things, the approaches featured this year in "Foundations", and the direction of the course offerings in general at the law school.

People need to open their eyes and see how the success of the University of Toronto's law school shows that corporate law is the real law. All the rest in law school is at best a frill, a distraction, at worst a crutch grasped in bad faith. The market feeds us. The less sissy regulation of the market, the better the menu for those of us who deserve life's riches.

Law school should be about how to get things done, not about pretending you can spend time above the fray, unsullied, playing with questions about what you and others ought to be doing. Let's face facts. My parents are successful, my friends are successful, I am successful. Law school and life is about competition. In law school, some people are able to focus, and do what needs to be done, to be in the top 10% of their class. They get the worthwhile clerkships and articling positions, and are courted by New York. Later, they get to make the decisions that matter about the 90% of losers, some of whom are lazy, some of whom just don't have what it takes.

The emperor has no clothes: the expansion and intensification of "Foundations" is anticipating the further decline of McGill law school. It will be equipping the students from the start with theoretical crutches, so that they can rationalise their being losers.

I can see why, since losers don't get to exercise the winner's power over others, some losers turn in on themselves. They try to get a simulacrum of the winner's pleasure, by exercising too rigid self-control, and by forcing themselves to turn "Foundations" style questions over and over in their minds. You can see that these silly games have nothing to do with real law, because even law professors who become judges base their judgements on other grounds (see, for example, the decisions of the prominent formalist Frank Easterbrook, and of the prominent pragmatist Richard Posner, as examined in Daniel A. Farber's paper "Do Theories of Statutory Interpretation Matter?", available online at <http://papers.ssrn.com/sol3/delivery.cfm/991029300.pdf?abstractid=186135>).

Some student activists pose as egalitarians

and contend that their university education should be cheap or free (for them, not for the working taxpayer). This type of student often wants to play political or theory games in "Foundations". They pretend that their intellectual games benefit society as a whole. These students are relying on a contemporary retread of a deeply inegalitarian approach, an approach that stretches back centuries. For example, Thomas Aquinas wrote in the 13th century: "The command to be fruitful falls on the people as a whole. They are bound not only to multiply in body but to grow in spirit. The human family is sufficiently provided for if some undertake the responsibility for bodily generation, while others devote themselves to divine things, for the beauty and health of the whole human race." (*Summa Theologica*, II, II, q. 152. ad. 1).

"Foundations" style questions are noxiously conservative. This legal navel-gazing skirts those presuppositions of law which law cannot account for on its own. But this navel-gazing passes itself off as an exchange with what is beyond law and what is betrayed by law. This navel-gazing, this mirror game, serves to cut-off real critical thought about what underlies law, thought which must begin from the outside. I'm happy there are plenty of losers, so that there can be winners like me, but why pretend that being a loser is a good thing? Life won't be fair and "Foundations" has nothing to do with real life.

Another Consumer Report

I acted on an e-mail about penile enlargement. However, it wasn't one of those barely literate spams. The message came from Mark R... He was a friend of a friend and we had danced together a few times at "Sky". He knew that I was feeling a bit down: my two-year companion had left me a few weeks before. I believed in romance and had thought that my companion did too. Yet, out of nowhere, when we were bicycling near Mount Royal Park, he announced that he no longer believed in sexual exclusivity. He said that there was no use in wasting emotional energy, no use in tiptoeing around it or discussing it, and he moved out the next weekend.

Mark's e-mail suggested that a bit of enlargement could always boost self-confidence. This sounded superficial, but then I

thought of the clubs with those two-sided trough-type urinals. Mark wrote that a Hungarian endocrinologist would be in town, and that everything he had heard said that this doctor's method worked. Mark was going to try it himself.

I called the phone number that Mark had sent, and gave the code -word. I got an appointment for three weeks later, at a motel on St Jacques Street, near Décarie Boulevard. When I found the doctor's room, he made me show him that I had brought the 800\$ in cash. He was a tall thin man, balding, with big hands. He asked me if I had kidney problems or high blood pressure. He showed me a short video displaying the effectiveness of his method. The process would involve ten injections at the base of my penis: two at a time, spaced at two-week intervals. The doctor would show me how to do the injections, by doing the first two himself. The others would be left to me.

I counted out my money. The doctor wiped the injection site, first with alcohol, I suppose, then a white cream. The two injections did not hurt a bit. The doctor explained that one injection was of a growth factor, the other was a small dose of a dampener. The eight vials he would give me were labelled as to order. They contained decreasing doses of the growth factor and increasing doses of the dampener. I should keep them refrigerated. The doctor reached in the room's fridge, for a small plastic bag containing the vials, and counted out eight syringes from a box in his suitcase. He shook my hand and showed me to the door. As I left, two men waiting outside the door turned their faces away.

For the next week, I looked and looked for any change. I tried to phone Mark. I phoned my friend who knew him. Apparently, Mark had just moved out West, my friend wasn't sure where. I called the number that Mark's e-mail had given. It was no longer in service. I'd been cheated. I'd been stupid. I took the vials from my fridge and threw them in the garbage.

About ten days later, my penis started to feel slightly warm in the morning. Within four or five weeks, I noticed a gradual lengthening, which continued slowly but steadily in the following months. Once my penis had grown past 14 inches, it interfered with walking when I tucked it down my pant leg. I took to gathering it up on my abdomen, with the help of elastic bandages. Since I'm not too tall and had a slight build, I now mostly dressed as a woman, the bulge a plausible pregnancy.

The growth of my penis gradually slowed, finally stopping at 38 ¾ inches. My penis ►

only occasionally swelled, once or twice a month. But with the swelling came weakness, and, later, fainting spells. The first three or four fainting spells struck me at home, and I felt them coming. But my big scare came when I fainted on board an Air Canada jet, as I was flying to a cousin's wedding in Calgary. I was lucky that there was no nurse or doctor on board. They would surely have performed a cursory examination of this fainting, apparently pregnant passenger.

I no longer had a choice. I asked around and heard of Dr Colas Rerisak, an open-minded urologist at St Luc Hospital. Five weeks later, I was in his waiting room. Dr Rerisak probed and poked, and sent me for an ultrasound. At my next appointment, he explained that it was a matter of all or nothing. After his surgery removed most of the length of my penis, he would remove the flesh inside the skin of the remaining part, taking care not to damage the urethra. He would form this skin into a pouch and push it below my pubic bone. We sched-

uled the surgery for in four months' time.

When I faded back from the anaesthetic, the pain was worse than I had imagined. For about a week I slept just a few hours each night, thanks to a haze of painkillers. Eventually, the pain subsided.

Thanks to injections of testosterone every three weeks, and working out every few days, I am now really buff. We've made peace, my pouch and I. To avoid shrinkage, I have to stretch it every day. With the help of a friendly rolled-up pair of socks and some tape, I now spend Saturday nights in those clubs where everyone dances mechanically in their briefs, within a skin of mirrors. In these clubs, you always have to carry money with you, since they make a fortune selling water (the taps in the bathroom only run hot). In the old days, the bulge of a wallet or change purse used to spoil the lines of my briefs. Now, thanks to my pouch, I can tuck away a bit of money, and maybe some lip balm, as neatly as can be.

"When I compare
What I have lost with what I have gained,
What I have missed with what attained,
Little room do I find for pride.

I am aware
How many days have been idly spent;
How like an arrow the good intent
Has fallen short or been turned aside.

But who shall dare
To measure loss and gain in this wise?
Defeat may be victory in disguise;
The lowest ebb is the turn of the tide."
(Longfellow)

coatesq@hotmail.com ■

Law School Self

by Edmund Coates (Alumnus II)

My cares flutter away in the warm
song of new voices. Hope lies
inside the door. I stood on my past
but now step forward.

The green grass of ideas rushes to each day's
horizon. The lion's teeth float, December,
April, far as specks of cobweb.

Time is short, bright smiles blow through the
halls; tighten to spiders at close approach.

Colour is gone. Gray day spins into gray
day. Gray waters my lights as I burn your
likeness. Page after page jeer from my desk;
white dead tongues.

I sat silent, fading, stuck, alone in a class of
80: blind with a thousand eyes. Porcelain
fingers drew me to an empty husk of home.
Eight pills of comfort, stone smooth blue
guilt, tickled the guards of breath.

Once I had wings. ■

The Quid is also available online:
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